

Jeff Vescovi

Attachments: 25.03.05 Second Signed Rejection of Reinstatement.pdf

From: Jeff Vescovi
Sent: Friday, March 7, 2025 11:56 AM
To: 'crogers@serpeandrews.com' <crogers@serpeandrews.com>; 'ballen@serpeandrews.com' <ballen@serpeandrews.com>; 'slujan@serpeandrews.com' <slujan@serpeandrews.com>
Cc: Jessica Hernandez <jhernandez@kennedyhernandez.com>; Paul Kennedy <pkennedy@kennedyhernandez.com>; Andrea Goodwin <Assistant@kennedyhernandez.com>; Elizabeth Harrison <eharrison@kennedyhernandez.com>
Subject: RE: Reinstatement Offer

Cody and Blade,

I hope you are both doing well.

Last Friday, our client received a new letter of reinstatement from Ms. Jordan. As you are probably aware, the letter is nearly identical to the previous letter. The date is changed; the portion requiring Ms. Riley to become "an at-will exempt employee" is removed; and the new letter allows Ms. Riley to speak with NMWCA staff on matters unrelated to her employment.

Our client has considered these changes and once again wishes to reject the offer of reinstatement. I have attached her response to this email. Although the letter no longer requires Ms. Riley to agree to at-will employment, it is still our position that the letter violates our client's freedoms of speech and association under both the state and federal constitutions.

As we stated before, we filed our preliminary injunction to preserve the status quo until the federal court can properly assess Ms. Riley's claims. The status quo remains nothing less than full reinstatement. It is also our position that Ms. Riley is entitled to back pay for the time she has been wrongfully unemployed.

Now that the State Personnel Board has dismissed the complaint against Ms. Riley for lack of jurisdiction, there is no basis for Defendant to argue that our claims for injunctive relief are moot. We will continue to pursue those claims in court.

Respectfully,

Jeff Vescovi
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